

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 7, 2014**

RESOLUTION #14/15-61

**RESOLUTION AUTHORIZING FRAMEWORK AND PROCEDURE FOR
DISSOLUTION OF HEALTH INSURANCE TRUST**

BY: ALDERWOMAN HATZENBUHLER

WHEREAS, the County of Montgomery (the "County") and the City of Amsterdam (the "City"), as Plan Members of the Montgomery County Health Insurance Trust Plan (hereinafter the "Trust"), have determined that it is in the best financial interest of the Plan Members and their respective employees who are covered under an employer sponsored health insurance plan by virtue of his or her employment, to dissolve the Trust; and

WHEREAS, the Montgomery County Board of Supervisors by Resolution No. 68 of 2012 dated February 28, 2012 directed the County representatives on the Trust's Board of Trustees to vote to dissolve the Trust effective December 31, 2012; and

WHEREAS, the Common Council of the City of Amsterdam by Resolution No. 11/12-199 dated March 20, 2012 instructed its representatives on the Trust's Board of Trustees to take all steps necessary to wind up the operations of the Trust, account for Trust operations and properly distribute any reserve funds; and

WHEREAS, pursuant to Article XIV of the Montgomery County Health Insurance Trust Plan, the Trust may be terminated by a super majority vote of the entire Board of Trustees, provided, however, that the Trust shall remain in existence for the winding up of its affairs; and

WHEREAS, the Trust Board by Resolution dated November 8, 2012 approved the termination and dissolution of the Montgomery County Health Insurance Trust Plan effective December 31, 2012, provided, however, that the Trust shall remain in existence for the winding up of its affairs; and

WHEREAS, the Montgomery County Health Insurance Trust passed a Resolution on December 30, 2013 approving the proposed framework and procedure for dissolution of the Montgomery County Health Insurance Trust which is annexed hereto as Exhibit A; and

WHEREAS, the proposed framework and procedure for dissolution of the Montgomery County Health Insurance Trust requires that the Montgomery County Legislature and City of Amsterdam approve the proposed framework and procedure for dissolution for content and as to form; and

WHEREAS, the City of Amsterdam has reviewed the Trust Board's Resolution dated December 30, 2013 which contains the proposed framework and procedure for dissolution of the Montgomery County Health Insurance Trust; and

RESOLVED, the City of Amsterdam hereby approves the proposed framework and procedure for dissolution of the Montgomery County Health Insurance Trust as set forth in the Trust Board's December 30, 2013 Resolution annexed hereto as Exhibit A both as to content and as to form.

MOTION TO TABLE by Alderman Russo passed with Aye. Alderwoman Hatzenbuhler and Alderman Leggiero voted nay. (10/7/14)

MOTION TO REMOVE FROM TABLE by Alderman Russo, passed with Aye. Alderman Barone voted nay. (10/21/14)

MOTION TO TABLE by Alderwoman Hatzenbuhler passed with aye. 910/31/14)

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderwoman Beekman		
Alderman Barone		
Alderwoman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 7, 2014**

RESOLUTION #14/15-63

RESOLUTION APPOINTING COMMISSIONER OF DEEDS

BY: MAYOR THANE

WHEREAS, the Common Council is authorized by New York State Executive Law §139 to appoint commissioners of deeds, for a term of two years from the date of their appointment,

RESOLVED, that Daniel B. Roginski, employed with the City of Amsterdam is hereby appointed Commissioner of Deeds for the City of Amsterdam, New York:

MOTION TO REFER TO COMMITTEE by Alderman Barone passed with Aye. 10/7/14)

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderman Beekman		
Alderman Barone		
Alderman Hatzenbuehler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 7, 2014**

RESOLUTION #14/15-65

RESOLUTION AUTHORIZING RFP'S – RIVERLINK CONCESSIONAIRE

BY: ALDERMAN RUSSO

RESOLVED, the City Clerk is authoring to advertise for Proposals for the concession at the Riverlink Park in accordance with the attached Requests for Proposals.

MOTION TO TABLE by Alderman Russo passed with Aye(10/7/14)

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderwoman Beekman		
Alderman Barone		
Alderwoman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014

CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 7, 2014

RESOLUTION #14/15-67

REVISED

RESOLUTION AMENDING BUDGET – FIRE DEPARTMENT

BY: ALDERMAN RUSSO

RESOLVED, the Controller is authorized to amend the 2014-2015 operating budget for overtime expense as follows:

DECREASE EXPENSE:

A-1990-4036	Contingency	\$15,000.00
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INCREASE EXPENSE:

A-3410-1001	Overtime	\$15,000.00
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MOTION TO TABLE by Alderman Russo passed with Aye (10/7/14)

MOTION TO REMOVE FROM TABLE by Alderman Russo passed with Aye. (10/21/14)

RESOLUTION ADOPTED UNANIMOUSLY. (10/21/14)

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo	✓	
Alderman Beekman	✓	
Alderman Barone	✓	
Alderman Hatzenbuehler	✓	
Alderman Leggiero	✓	


ANN M. THANE, MAYOR

Dated: Oct. 22, 2014


This is to certify that I, Susan Alibozek, City Clerk of the City of Amsterdam, County of Montgomery, State of New York, that the above is the original Resolution, passed by the City of Amsterdam Common Council on October 21, 2014, a majority of all members elected to the Council voting in favor

I have set my hand and the official seal of the City of Amsterdam this 22nd day October, 2014.


CITY CLERK

CITY SEAL

Received & Filed in the Office of the City Clerk: 10/22/14

Received by: 

Received by:

CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 21, 2014

RESOLUTION #14/15-77

RESOLUTION ADOPTING MINUTES OF THE LAST COMMON COUNCIL MEETINGS

BY: ALDERWOMAN BEEKMAN

RESOLVED, that the minutes of the Common Council meeting of the September 16, 2014 are hereby adopted.

RESOLUTION ADOPTED UNANIMOUSLY.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo	✓	
Alderman Beekman	✓	
Alderman Barone	✓	
Alderman Hatzenbuehler	✓	
Alderman Leggiero	✓	


ANN M. THANE, MAYOR

Dated: Oct. 22, 2014

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I have set my hand and the official seal of the City of Amsterdam this 22nd day October, 2014.


CITY CLERK

CITY SEAL

Received & Filed in the Office of the City Clerk:

10/22/14

Received by:

SR

CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 21, 2014

RESOLUTION #14/15-78

RESOLUTION APPROVING AUDIT

BY: ALDERWOMAN HATZENBUHLER

RESOLVED, the bills examined by the Common Council and reported herewith as correct and they are, allowed and ordered paid and the City Clerk is authorized and empowered to issue warrants in payment of same.

RESOLUTION ADOPTED UNANIMOUSLY.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo	√	
Alderman Beekman	√	
Alderman Barone	√	
Alderman Hatzenbuhler	√	
Alderman Leggiero	√	



ANN M. THANE, MAYOR

Dated: Oct. 22, 2014

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CITY CLERK

CITY SEAL

Received & Filed in the Office of the City Clerk:

10/22/14

Received by: 

CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 21, 2014

RESOLUTION #14/15-79

RESOLUTION CHANGING DATE OF NOVEMBER 4, 2014 MEETING

BY: MAYOR THANE

WHEREAS, Election Day falls on Tuesday, November 4, 2014, the normally scheduled date of the City of Amsterdam Common Council Meeting,

RESOLVED, that the November 4, 2014 meeting of the City of Amsterdam Common Council is hereby changed to Wednesday, November 5, 2014 at 7:00 p.m.

RESOLUTION ADOPTED UNANIOUSLY.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo	✓	
Alderwoman Beekman	✓	
Alderman Barone	✓	
Alderwoman Hatzenbuhler	✓	
Alderman Leggiero	✓	


ANN M. THANE, MAYOR

Dated: Oct. 22, 2014

\This is to certify that I, Susan Alibozek, City Clerk of the City of Amsterdam, County of Montgomery, State of New York, that the above is the original Resolution, passed by the City of Amsterdam Common Council on October 21, 2014, a majority of all members elected to the Council voting in favor

I have set my hand and the official seal of the City of Amsterdam this 22nd day October, 2014.


CITY CLERK

CITY SEAL

Received & Filed in the Office of the City Clerk:

10/22/14

Received by:



CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 21, 2014

RESOLUTION #14/15-80

RESOLUTION AMENDING BUDGET – SEWER FUND

BY: ALDERMAN LEGGIERO

RESOLVED, the Controller is authorized to amend the 2014-2015 budget to for natural gas not properly funded in the budget process as follows:

DECREASE EXPENSE

G-8120-4024 Electricity \$35,000 (bal. \$373,136.35)

INCREASE EXPENSE

G-8120-4022 Natural Gas \$35,000

RESOLUTION ADOPTED UNANIMOUSLY.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo	✓	
Alderswoman Beekman	✓	
Alderman Barone	✓	
Alderswoman Hatzenbuehler	✓	
Alderman Leggiero	✓	



ANN M. THANE, MAYOR

Dated: Oct. 22, 2014

This is to certify that I, Susan Alibozek, City Clerk of the City of Amsterdam, County of Montgomery, State of New York, that the above is the original Resolution, passed by the City of Amsterdam Common Council on October 21, 2014, a majority of all members elected to the Council voting in favor

I have set my hand and the official seal of the City of Amsterdam this 22nd day October, 2014.



CITY CLERK

CITY SEAL

Received & Filed in the Office of the City Clerk: 10/22/14

Received by: SA

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 21, 2014**

RESOLUTION #14/15-81(consent)

**RESOLUTION ELIMINATING POSITION – CORPORATION COUNSEL’S
SECRETARY**

BY: ALDERMAN BARONE

WHEREAS, during budget sessions it was agreed that the position of Secretary for Corporation Counsel would be housed in City Hall fulltime, and

WHEREAS, this agreement has not been complied with,

RESOLVED, the Controller is authorized to amend the 2014-2015 budget by removing monies dedicated to Secretary to Corporation Counsel effective October 24, 2014.

MOTION TO TABLE by Alderman Barone, passed with Aye. (10/21/14)

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderman Beekman		
Alderman Barone		
Alderman Hatzenbuehler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 21, 2014**

RESOLUTION #14/15-82(consent)

RESOLUTION REMOIVING EMPLOYEE BENEFITS – CORP. COUNSEL

BY: ALDERWOMAN HATZENBUHLER

WHEREAS, during budget sessions it was agreed that Corporation Counsel's office would be housed in City Hall fulltime, and

WHEREAS, this agreement has not been comply with even on a part time basis,

RESOLVED, the Controller is authorized to amend the 2014-2015 budget by removing all employee benefits from the position of Corporation Counsel effective October 24, 2014.

MOTION TO TABLE by Alderman Barone, passed with Aye. (10/21/14)

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderman Beekman		
Alderman Barone		
Alderman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014

**CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 21, 2014**

RESOLUTION #14/15-83(consent)

RESOLUTION REQUESTING MAYOR TO RESCIND EXECUTIVE ORDER 2014-2

BY: ALDERWOMAN HATZENBUHLER

WHEREAS, the New York ACLU has advised that Mayor Thane's Executive Order 2014-2 regarding interaction between Council Members and City Employees is illegal under the First Amendment,

RESOLVED, Mayor Thane is hereby requested to rescind Executive Order 2014-2 immediately.

MOTION TO TABLE by Alderwoman Hatzenbuhler passed with Aye(10/21/14).

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderwoman Beekman		
Alderman Barone		
Alderwoman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014

CITY OF AMSTERDAM, NY
COMMON COUNCIL
OCTOBER 21, 2014

RESOLUTION #14/15-84(consent)

RESOLUTION APPROVING COST SAVING PROPOSAL – LIGHTS

BY: FULL COUNCIL

WHEREAS, a project of replacing part of the current lighting system with National Grid approved LED lights has been proposed for the Public Safety Building, City Hall and the Department of Public Works building which will result in a savings for the City,

RESOLVED, total funding for the project assuming the lump sum payment option of \$35,547.29 is hereby approved and is earmarked in the contingency account for payment when due.

RESOLUTION ADOPTED UNANIMOUSLY.

COMMON COUNCIL
City of Amsterdam, NY

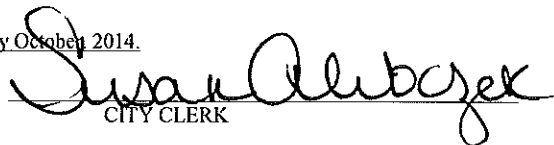
	Aye	Nay
Alderman Russo	√	
Alderswoman Beekman	√	
Alderman Barone	√	
Alderswoman Hatzenbuehler	√	
Alderman Leggiero	√	


ANN M. THANE, MAYOR

Dated: Oct. 22, 2014

This is to certify that I, Susan Alibozek, City Clerk of the City of Amsterdam, County of Montgomery, State of New York, that the above is the original Resolution, passed by the City of Amsterdam Common Council on October 21, 2014, a majority of all members elected to the Council voting in favor

I have set my hand and the official seal of the City of Amsterdam this 22nd day October 2014.


CITY CLERK

CITY SEAL

Received & Filed in the Office of the City Clerk:

10/22/14

Received by:





City of Amsterdam

Engineering Department

841-4331

61 Church Street, Amsterdam, NY 12010

Inspections - (518) 841-4319

Plumbing Inspector - (518) 841-4330

Fax - (518) 841-4310

October 17, 2014

To: Mayor and City Council
From: Richard C. Miller - City Engineer *RCM*
Re: National Grid/Rise Engineering Energy Initiative Projects
Public Safety Building, City Hall and DPW Building

These projects consist of replacing parts of the current lighting systems with recently National Grid approved LED lights. Please be advised that the Public Safety Building project has to be **approved** prior to the end of October to be guaranteed funding for the project. The average monthly demand to qualify for the incentives has to be less than or equal to 100 kW. Right now the Public Safety Building is averaging about 95 kW. The Engineering Department highly recommends that the City authorize the funding for these projects. Please see attached information.

The **Public Safety Building Project** includes all the interior lights which are on 24 hours per day plus the exterior lights. Attached is a chart of the energy usage showing the base load for the building and the affect of turning on the air conditioning units. The base load averages about 50 kW and approximately doubles to 100 to 110 kW with the use of the A/C units. The replacement project would reduce this load by approximately 27 kW.

The Public Safety Building costs are as follows:

Gross Client Base Cost:	\$74,983.78
Estimated National Grid Incentive:	\$44,010.52
Net Client Base Cost:	\$30,973.26
Lump Sum Payment (Additional 15% Discount)	\$27,513.07

The estimated first year electrical savings for this project is \$21,278.13 indicating that pay back on the City investment is less than 16 months.

The **City Hall Building Project** includes all the exterior lights. The replacement project would reduce the electric load by approximately 8 kW.

The City Hall costs are as follows:

Gross Client Base Cost:	\$11,862.21
Estimated National Grid Incentive:	\$ 6,780.47
Net Client Base Cost:	\$ 5,081.74
Lump Sum Payment (Additional 15% Discount)	\$ 4,645.85

The estimated first year electrical savings for this project is \$3,772.91 indicating that pay back on the City investment is less than 15 months.

The **Department of Public Works Building Project** includes all the exterior lights. The replacement project would reduce the electric load by approximately 6 kW

The Department of Public Works Building costs are as follows:

Gross Client Base Cost:	\$9,308.55
Estimated National Grid Incentive:	\$5,562.59
Net Client Base Cost:	\$3,745.97
Lump Sum Payment (Additional 15% Discount)	\$3,388.37

The estimated first year electrical savings for this project is \$2,734.58 indicating that pay back on the City investment is less than 15 months.

Total funding required is \$35,547.29 assuming the Lump Sum Payment option.

Please contact me if you have any questions or comments.

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
OCTOBER 7, 2014**

Ordinance Number 2014-K

**AN ORDINANCE AMENDING CHAPTER 23 OF THE CODE OF THE CITY OF
AMSTERDAM – CODE OF ETHICS**

BY: ALDERWOMAN HATZENBUHLER

WHEREAS, it is necessary to revise the city code to modify the ethics code in accordance with recommendations from the Board of Ethics,

The City of Amsterdam, in Common Council convened, does hereby,

ORDAIN AND ENACT as follows:

Chapters § 23 “Ethics” of the code of the City of Amsterdam are hereby amended as indicated below: (underlined text is added and struck through text is to be deleted)

ARTICLE I, Code of Ethics [Adopted 8-4-1970]

§ 23-1. Legislative intent.

Pursuant to the provisions of § 806 of the General Municipal Law, the Common Council of the City of Amsterdam recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this article to promulgate these rules of ethical conduct for the officers and employees of the City of Amsterdam. These rules shall serve as a guide for official conduct of the officers and employees of the City of Amsterdam. The rules of ethical conduct of this article, as adopted, shall not conflict with, but shall be in addition to, any prohibition of Article 18 of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

§ 23-2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

INTEREST -- A direct or indirect pecuniary or material benefit accruing to a municipal officer or employee as the result of a contract with the municipality which such officer or employee serves. For the purposes of this chapter, a municipal officer or employee shall be deemed to have an interest in the contract of:

- A. His spouse, minor children and dependents, except a contract of employment with the municipality which such officer or employee serves.
- B. A firm, partnership or association of which such officer or employee is a member or employee.
- C. A corporation of which such officer or employee is an officer, director or employee.
- D. A corporation, any stock of which is owned or controlled directly or indirectly by such officer or employee.

MUNICIPAL OFFICER OR EMPLOYEE -- An officer or employee of the City of Amsterdam whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer fireman or civil defense volunteer, except a Chief Engineer or Assistant Chief Engineer.

§ 23-3. Standards of conduct.

Every officer or employee of the City of Amsterdam shall be subject to and abide by the following standards of conduct:

A. Gifts. He shall not, directly or indirectly, solicit any gift or accept or receive any gift having a value of \$75 or more, whether in form of money, services, loan, travel, entertainment, hospitality, thing or promise or any other form under circumstances in which it could reasonably be inferred that the gift was intended to influence him in the performance of his official duties or was included as a reward for any official action on his part.

B. Confidential information. He shall not disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interest.

C. Representation before one's own agency. He shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he is an officer, member or employee, or of any municipal agency over which he has jurisdiction or to which he has the power to appoint any member, officer or employee.

D. Representation before any agency for a contingent fee. He shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any agency of his municipality, whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this subsection shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

E. ~~Disclosure of the following is required. Disclosure of interest in legislation. To the extent that he knows thereof, a member of the Common Council and any officer or employee of the City of Amsterdam, whether paid or unpaid, who participates in the discussion, or gives official opinion to the Common Council on any legislation before the Common Council, shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he has in such legislation.~~

1. Disclosure of interest in legislation. To the extent that he knows thereof, a member of the Common Council and any officer or employee of the City of Amsterdam, whether paid or unpaid, who participates in the discussion, or gives official opinion to the Common Council on any legislation before the Common Council, shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he has in such legislation. Such disclosure shall be written and made part of and shall be set forth in the official record of the proceedings of such body.

2. Any officer or employee of the City of Amsterdam must comply with any and all other disclosure requirements contained in any and all provisions of state and local law.

3. Disclosure of campaign contributions. Any officer or employee who individually or whose duly constituted campaign committee has, in any election cycle received contributions of \$250 (Two Hundred and Fifty Dollars) or more from a firm or person with an interest in any matter before any City Board, Commission or the Common Council, where the officer or employee is a member or participates in the deliberation of such City Board, Commission or the Common Council, shall promptly disclose, in writing, to the respective board, commission, or council, the date, amount and recipient of such contribution. Such written disclosure shall be made part of and shall be set forth in the official record of the proceedings of such body. The officer or employee should then recuse himself in any such matter.

F. Investment in conflict with official duties. He shall not invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction which creates a conflict with his official duties.

G. Private employment. He shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of his official duties.

H. Future employment. He shall not, after the termination of service or employment with such municipality, appear before any board or agency of the City of Amsterdam in relation to any case, proceeding or application in which he personally participated during the period of his service or employment or which was under his active consideration.

I. Appearance of impropriety. He shall avoid any appearance of impropriety.

J. Private Interest. A city officer or employee shall not use his or her official position, office, or city property or resources (e.g., official letterhead), nor take or fail to take any official action in a manner which he or she knows or has reason to know may result in a personal or financial benefit, or otherwise further the private interest of the officer or employee; his or her outside employer or business; his or her spouse, in-law, domestic partner, co-habitant, child, stepchild, sibling, parent or grandparents, or his or her customer or client. The rules of this section shall apply to contracts, employee relations decisions, and all other official actions.

K. Political Interest. No member of the Common Council or officer or employee of the City of Amsterdam may use his or her authority over City property, resources, or personnel to further or inhibit the political interests of any candidate for public office; nor may he or she take or fail to take any official action to further or inhibit the political interests of any candidate for public office. No action taken by an officer or employee of the City of Amsterdam shall be considered to violate this provision if such action is part of the usual assigned work duties of that officer or employee, unless the actions are taken in a discriminatory manner that is intended by the officer or employee to further or hinder the political interests of any candidate.

L. Recusal. Officers and employees should recuse themselves from participation in discussion, deliberation, or voting in any matter in which they have an actual or potential interest prohibited by this code.

§ 23-4. Exemption for certain filings.

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the City of Amsterdam, or any agency thereof on behalf of himself or any member of his family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

§ 23-5. Distribution of Code of Ethics.

~~The Mayor of the City of Amsterdam shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the City of Amsterdam within 60 days after the effective date of this article. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his office or employment. Failure to distribute any such copy or failure of any officer or employee to receive such copy shall have no effect on the duty of compliance with such code, nor the enforcement provisions thereof.~~

A. The Employee Relations Director, or any descendent position thereof, shall cause a copy of this Code of Ethics and the Ethics Disclosure Statement to be distributed to every officer and employee of the City of Amsterdam. Each officer and employee elected or appointed on and after the effective date of this chapter shall be furnished such copy before entering upon the duties of his or her office or employment. The City Clerk shall keep on file a signed statement that the Code of Ethics was received. Failure to Distribute any such copy or failure of any officer or employee to receive such copy shall have no effect on the duty of compliance with this chapter or with the enforcement of the provisions thereof.

B. The Common Council may facilitate periodic ethics training programs for officers and employees or the City and for the public.

§23-6 Initial Disclosure Statement

A. All officers and employees shall, at the time of filing his or her acknowledgement of receipt of the Code of Ethics, also file with the City Clerk an Ethics Disclosure Statement, in a form established by the Board of Ethics.

B. All officers and employees shall ensure that such Disclosure Statement remains current, and must file an updated Disclosure Statement as necessary.

§ 23-67. Penalties for offenses.

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

ARTICLE II, Board of Ethics [Adopted 8-4-1970]

§ 23-710. Board of Ethics established; membership.

There is hereby established a non-partisan Board of Ethics, consisting of six members, five of whom shall be appointed by the Mayor and serve at the pleasure of the Mayor. One non-voting member shall be appointed by the Common Council and serve at the pleasure of the Common Council. A majority of such voting members shall be persons other than officers or employees of the City of Amsterdam, New York. Such board shall include at least one voting member who is an elected or appointed municipal officer or employee. The Corporation Counsel shall act as an advisor to the Board.

~~There is hereby established a Board of Ethics, five of which shall be appointed by the consisting of five members to be appointed by the Mayor and who shall serve without compensation and at the pleasure of the Mayor. A majority of such members shall be persons other than officers or employees of the City of Amsterdam, New York, but shall include the Corporation Counsel of the City of Amsterdam and, whenever possible, one Common Council member of the minority party in office in the City of Amsterdam.~~

§ 23-811. Powers and duties.

The Board of Ethics shall have the powers and duties prescribed by Article 18 of the General Municipal Law and shall render advisory opinions to the officers and employees of the City of Amsterdam with respect to Article 18 of the General Municipal Law and any Code of Ethics adopted pursuant to such article, under such rules and regulations as the Board may prescribe. In addition, the Board may make recommendations with respect to any amendments to the Code of Ethics upon request of the Common Council. To the extent permitted by law, the identity of the officer or employee seeking advice, and the nature of the inquiry shall be and remain confidential.

§ 23-11 Complaints

A. The Ethics Board shall have the authority to receive written complaints alleging violations of this code, to investigate such complaints, and to render advisory opinions thereon.

B. Complaints shall be subscribed to the Ethics Board Complaint Form and presented to the City Clerk in a sealed envelope clearly marked to the ethics board. The City Clerk shall thereafter present the sealed envelope to the chair of the ethics board.

C. To maintain confidentiality, under no circumstances shall the envelope be opened by anybody other than a member of the ethics board.

D. An officer or employee under investigation by the Board of Ethics shall be afforded written notice of the investigation, a copy of the complaint on which it is based, and an opportunity to be heard. In the course of its investigations, the Board of Ethics may take testimony under oath.

E. The Board shall promulgate its own rules and regulations as to its forms and procedures and shall maintain appropriate records of its proceedings.

F. At the conclusion of its investigation, the Board shall render a written opinion stating its findings, conclusions, and recommendations. A copy of the opinion shall be furnished to the complainant, the subject officer or employee, and to the Mayor and Common Council for any action deemed necessary or appropriate.

§ 23-11 Conflict with General Municipal Law

In the event that this chapter conflicts with General Municipal Law Article 18, General Municipal law shall prevail.

§23-12 Conflict with the City Charter

In the event that any provision of this chapter shall conflict or be inconsistent with any provisions of the City Charter, the provisions of the City Charter shall prevail.

ORDINANCE ADOPTED UNANIMOUSLY.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo	√	
Alderman Beekman	√	
Alderman Barone	√	
Alderman Hatzenbuehler	√	
Alderman Leggiero	√	



ANN M. THANE, MAYOR

Dated: Oct. 22, 2014

This is to certify that I, Susan Alibozek, City Clerk of the City of Amsterdam, County of Montgomery, State of New York, that the above is the original Ordinance, passed by the City of Amsterdam Common Council on October 21, 2014, a majority of all members elected to the Council voting in favor

I have set my hand and the official seal of the City of Amsterdam this 22nd day October, 2014.


CITY CLERK

CITY SEAL

Received & Filed in the Office of the City Clerk:

10/22/14

Received by: 

**CITY OF AMSTERDAM, NEW YORK
COMMON COUNCIL MEETING
OCTOBER 21, 2014**

ORDINANCE 2014-L (for introduction)

AN ORDINANCE REVISING CITY CODE CHAPTER 219-TOWING

BY: ALDERMAN RUSSO

The City of Amsterdam, in Common Council convened, does hereby,

ORDAIN AND ENACT as follows:

Chapter §219. Towing of the code of the City of Amsterdam is hereby amended as indicated below strikethrough is hereby deleted

§219-1. Towing fees.

A. Monday through Friday, 8:00 am to 5:00 pm: \$50.00\

B. Monday through Friday, nights 5:00 pm to 8:00 am: \$100.00

C. Weekend Rate, Friday 5:00 pm through Monday 8:00 am: \$100.00

D. Surcharge. A storage surcharge of \$25 will be levied on all vehicle storage resulting from violating any provision of the Amsterdam City Code, a declared state of emergency, or New York State Statute. Said surcharge will be collected by ~~the storage facility~~ and paid to the City of Amsterdam within 30 days ~~of collection~~. No storage facility shall release any vehicle until it has ~~collected the surcharge and issued a receipt to the payee~~ received a copy of a City of Amsterdam receipt of payment of fees.

This Ordinance shall take effect pursuant to Section 33 of the Charter of the City of Amsterdam.

COMMON COUNCIL
City of Amsterdam, NY

	Aye	Nay
Alderman Russo		
Alderwoman Beekman		
Alderman Barone		
Alderwoman Hatzenbuhler		
Alderman Leggiero		

ANN M. THANE, MAYOR

Dated: _____, 2014